IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

CIVIL APPLICATION NO.2245 OF 2005
A/W
CIVIL APPLICATION NO.2217 OF 2005
IN
WRIT PETITION NO.3902 OF 2005

A/W

WRIT PETITION NO.4392 OF 2005

Office Notes, Office Memoranda of Coram, appearances, Court's Order or Directions and Registrar's Orders	Court's or Judge's Orders

Mr.Arshad Shaikh for Petitioner in W.P. No.3902 of 2005 and for Respondent No.1

Mr.J.P. Cama for Petitioner in W.P. No.4392 of 2005 and for Respondent No.1

CORAM: **SMT.NISHITA MHATRE, J.**

DATED: **SEPTEMBER 15, 2005**

P.C.:

. These Civil Applications have been filed by both the Petitioners in the respective writ petitions for seeking clarifications of the order dated 6.7.2005.

2. Heard Advocates.

3. Paragraph 8 clause (ii) of the order will read as follows:

There is no dispute that the company has already paid over to the workmen gratuity and retrenchment compensation, which was to be adjusted against their subsistence allowance that was to be paid, in accordance with the earlier order of this Court dated 19.12.2003. The amount of gratuity and provident fund in the case of most workers has not yet been fully adjusted towards subsistence allowance which was payable under the aforesaid order. For those workmen, who the Union claims are still in service, the company will pay full wages from the date of the order of the Industrial Court. These wages will be adjusted against the balance amount of retrenchment and provident fund which remains, after adjustments made in accordance with the order of 19.12.2003. The payment in respect of the balance amount from

the date of termination of services to the date of the order of the Industrial Court will be made to the workmen with interest as directed by the Court at the stage of final hearing of these petitions.

4. Civil Applications are disposed off accordingly.